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General Assembly

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Relevant General Assembly resolutions

Note by the Secretariat

1. At its fiftieth session, in 2017, the Commission requested the Secretariat to replace an oral report by the Secretariat to the Commission on relevant General Assembly resolutions with written reports to be issued before the session.[1] Pursuant to that request, the Secretariat submits the present note summarizing the content of operative paragraphs of General Assembly resolutions 72/113 on the report of UNCITRAL on the work of its fiftieth session and 72/114 on the UNCITRAL Model Law on Electronic Transferable Records. Both resolutions were adopted by the General Assembly on 7 December 2017 on the recommendation of the Sixth Committee (A/72/458).

2. By paragraph 4 of resolution 72/113, the General Assembly congratulated UNCITRAL on its fiftieth anniversary and noted with satisfaction the outcomes of Congress 2017. It requested the Secretary-General to ensure publication of the Congress 2017 proceedings to the extent permitted by available resources.

3. By other paragraphs of that resolution, the General Assembly took note of progress made by UNCITRAL in all areas of its legislative and non-legislative work (including coordination, cooperation and technical assistance activities, CLOUT, digests and the UNCITRAL website) (paras. 1 to 11, 13, 19 and 26 to 29). It in particular commended the Commission for the texts adopted at its fiftieth session (paras. 2 and 3), requested the publication of the Guide to Enactment of the Model Law on Secured Transactions (para. 3) and noted the endorsement by the Commission of the ICC Uniform Rules for Forfaiting (para. 26). It also noted a broad mandate given to Working Group III to work on the possible reform of investor-State dispute settlement (para. 8) and the mandate to Working Group IV to take up work on the topics of identity management and trust services, as well as cloud computing (para. 9).

4. As usual, the General Assembly recognized and endorsed the efforts and initiatives of the Commission aimed at increasing coordination in the field of international trade law, providing technical cooperation and assistance to States with international trade law reform and development and promoting the rule of law and the implementation of the international development agenda. It appealed to all relevant

[1] *Official Records of the General Assembly, Seventy-second Session, Supplement No. 17* (A/72/17), para. 480.

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stakeholders to support the Commission in those efforts and initiatives, including by making voluntary contributions to the UNCITRAL Trust Fund for Symposia and to the Trust Fund established to provide travel assistance to developing countries that are members of UNCITRAL to attend Commission sessions (paras. 10, 11 and 16 to 21). The General Assembly noted developments related to UNCITRAL regional presence and requested the Secretary-General to keep the General Assembly further informed about that matter (paras. 13–15).

5. The General Assembly requested the Secretary-General to continue to operate the transparency repository, through the UNCITRAL secretariat, and noted with satisfaction continued contributions from OPEC OFID and the European Commission that would allow the Secretary-General to do so until the end of 2020 (paras. 5 and 6).

6. The General Assembly recalled the importance of adherence to the rules of procedure and methods of work of the Commission and relevant requests to the Secretariat, including as regards the length of Commission documentation, continued publication of Commission standards and provision of summary and digital records. It recalled its decision on the rotation scheme of Commission meetings between New York and Vienna (paras. 12, 22 to 24).

7. The General Assembly stressed the importance of promoting UNCITRAL texts and to this end urged States to use them (para. 25). In the final paragraph of the resolution (para. 30), the General Assembly expressed its appreciation to Mr. Renaud Sorieul, the retired Secretary of UNCITRAL, for his contribution to the unification and harmonization of international trade law and to the Commission.

8. By resolution 72/114, the General Assembly expressed its appreciation to the Commission for the adoption of the Model Law on Electronic Transferable Records and requested the Secretary-General to publish the Model Law together with an explanatory note. It recommended the text for use by all States revising or adopting legislation relevant to electronic commerce and invited them to advise the Commission accordingly. It also recommended that States continue to consider using other texts of UNCITRAL in the area of electronic commerce when revising or adopting legislation on electronic commerce. The General Assembly appealed to the relevant bodies of the United Nations system and other relevant international and regional organizations to coordinate their legal activities in the area of electronic commerce, including paperless trade facilitation, with those of the Commission.